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ELECTRONICALLY FILED
August 7th, 2014

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IN RE:

USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

3685 SAN FERNANDO LENDERS, LLC, et al.,
Plaintiffs,

v.

COMPASS USA SPE LLC, et al.,
Defendants.

Bankr. Case No.: BK-S-06-10725-LBR

**Case No.: 2:07-cv-892-RCJ-GWF-BASE
And
Case No.: 3:07-241-RCJ-GWF**

**EX PARTE MOTION FOR
SUBSTITUTION OF PARTY**

**Date: N/A
Time: N/A**

Ruth Ann Kehl, as executor of the estate of Robert J. Kehl, moves to substitute herself in this case in the place of her late husband, Robert J. Kehl, who died July 3, 2013. Fed. R. Bankr. P. 9014, inc'g Fed. R. Bankr. 7025, inc'g Fed. R. Civ. P. 25(a)(1). Mrs. Kehl was appointed as executor of Mr. Kehl's estate and is the devisee under his will. *In re Kehl*, Case No. 013311 ESPR044690 (Dist. Ct., Dubueque County, Iowa). The substitution is appropriate because his claim in this case is not extinguished, no party has filed a suggestion of death, and the substitution will not cause a delay in this case.

1 Although this motion is being served on all parties electronically receiving notice in this
2 case, the relief is sought ex parte because there is no known controversy regarding the substitution
3 and Rule 25(c) does not affirmatively require a motion. A proposed Order is attached.

4 DATED this 7th day of August, 2014

5 /s/ Louis M. Bubala, III
6 LOUIS M. BUBALA III, ESQ.
7 JANET L. CHUBB, ESQ.
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3685 SAN FERNANDO LENDERS, LLC, et al.,
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**Case No.: 2:07-cv-892-RCJ-GWF-BASE
And
Case No.: 3:07-241-RCJ-GWF**

**ORDER GRANTING EX PARTE
MOTION FOR SUBSTITUTION OF
PARTY**

**DATE: N/A
TIME: N/A**

On August 7th, 2014, Ruth Ann Kehl, as executor of the estate of Robert J. Kehl, who died July 3, 2013, moved to substitute in his place in this case. Fed. R. Bankr. P. 9014, inc'g Fed. R. Bankr. 7025, inc'g Fed. R. Civ. P. 25(c). The Court, having reviewed the motion and finding good

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1 cause, GRANTS the motion.

2 IT IS SO ORDERED.

3 Dated this 8th day of August, 2014

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6 GEORGE FOLEY, JR.
7 United States Magistrate Judge

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9 Submitted by: /s/Louis M. Bubala III